



**City Council
Pre-Agenda Meeting
Tuesday
May 09, 2006
4:00 p.m.**

The regularly scheduled Pre-Agenda Meeting of the Trinity City Council was held on Tuesday, May 09, 2006 at Trinity City Hall, 6701 NC Highway 62, Trinity, NC 27370.

MEMBERS PRESENT: Mayor, Fran Andrews; Council members Karen Bridges, Barbara Ewings, Barry Lambeth, Bob Labonte (arrived at 4:08), Dwight Meredith, Edith Reddick, and Miles Talbert.

MEMBERS ABSENT: Phil Brown

MEMBERS LEAVING EARLY: Council member Ewings left the meeting at 6:10 due to a conflict in her schedules.

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Engineer, Randy McNeill, DMP; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk/Finance Officer, Debbie Hinson; and other interested parties.

ITEM 1. Welcome

Mayor Andrews called the May 09, 2006 Regular Pre-Agenda Meeting of the Trinity City Council to order at 4:00 pm and welcomed everyone present.

ITEM II. Invocation

The invocation was given by Council member Lambeth.

III. Proposed items for the May 16, 2006 Regular Meeting of the Trinity City Council

Review and Approval of Minutes

- 1. April 11, 2006 Pre-agenda Meeting**
- 2. April 18, 2006 Regular City Council Meeting**

Mayor Andrews called for discussion and or motion to add these items to the May 16, 2006 Regular Council Agenda.

Motion to add the above items to the May 16, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Labonte and approved unanimously by all Council members present.

Reports

- 3. Report and funding request for Randolph County Senior Adults Association (Candie Rudzinski, Executive Director)**

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Talbert, seconded by Council member Ewings and approved unanimously by all Council members present.

- 4. Report and demonstration of new CD marketing the Archdale-Trinity area (Beverly Nelson, President, Archdale-Trinity Chamber of Commerce)**

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Ewings, seconded by Council member Lambeth and approved unanimously by all Council members present.

5. Wastewater Projects Update (Randy McNeill, Davis-Martin-Powell & Assoc.)

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Lambeth , seconded by Council member Talbert and approved unanimously by all Council members present.

Procedural Business

6. Rezoning request #Z06-03, to rezone property located at Braxton Craven Rd., further identified as Randolph County tax parcel number 7708710649. The request is to rezone the property from R-40 (Residential) to HC (Highway Commercial). The property is owned by Walter Ashe.

(Public Hearing was held at April 18 Council Meeting.)

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Attorney Wilhoit advised Council that a motion to deny this request failed at the April Council Meeting. This did not automatically approve the rezoning. You need a motion to approve the request to pass in order to rezone. This will be up for a decision at your next Board Meeting. When a negative motion fails, the motion to deny is lost but does not mean the motion to rezone has been approved. It is better to do a positive approval motion and let it pass or fail.

There was conversation between Attorney Wilhoit and Council members concerning conversation held with Mr. Jim Slaughter an expert parliamentarian from Greensboro concerning the use of a negative motion. Mr. Slaughter recommends to all bodies to make their motions in a positive way because this way when Council casts their votes it will be approved or denied and will prevent a situation like this.

There was further discussion concerning a motion to deny. Attorney Wilhoit advised Council that they needed to keep in mind if a negative motion was made (motion to deny) and failed, that is not the end of discussion and does not decide the issue.

Council member Labonte made a motion to add the above item to the May 16, 2006 Regular City Council Meeting , seconded by Council member Ewings and approved unanimously by all Council members present.

Public Hearings

7. Special Use Request #SPU06-03. Request from Mid Atlantic Development Group to allow Townhomes. Property is located on Unity St., further identified as Randolph County tax parcel 6787945980 and located within Colonial Village development.

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Mr. Stumb advised Council this hearing would be quasi-judicial because it was a Special Use Hearing and discussion should be limited. He advised Council to send persons with questions to City Hall staff.

There was discussion concerning the location of the pond on the property for this request. Mr. Stumb advised Council the pond was located at the back of the property and discussed what areas would drain into the pond.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Bridges , seconded by Council member Labonte and approved unanimously by all Council members present.

7A. Special Intensity Allocation Request (no public hearing)

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Lambeth and approved unanimously by all Council members present.

8. Rezoning request #Z06-01CZ, to rezone property located at Collett Farm Rd., further identified as Randolph County tax parcel numbers 6797663725, 6797757381 and 6797653575. The request is to rezone the property from R-40 and RA (Residential) to RM-CZ (Residential Mixed – Conditional Zoning). The property is owned by Gary Loflin, Colonial Charter and RJM Development. (Tabled from April 18 Council meeting)

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Council member Talbert discussed the four (4) Text Amendments passed at the last Regular City Council Meeting in April. Member Talbert stated that he thought each Text Amendment would be discussed individually and voted on individually.

At this time Member Talbert ***made a motion to rescind the motion that was made and approved for the Text Amendments and to revisit these amendments in June.***

There was discussion between Mayor Andrews, Manager Bailie, and Attorney Wilhoit concerning the motion made by Council member Talbert. Attorney Wilhoit advised Council members that as stated by Manager Bailie, a motion to rescind must be done at the same meeting as the original motion. There was further discussion between Council members and Member Talbert at which time Member Talbert stated that he wanted to bring this item up again and discuss and vote on each Amendment as separate items.

Manager Bailie and Attorney Wilhoit advised Council members that this item would need to be added to the June Agenda for discussion. We will need to place the same items that Council has already voted on back on the Regular Council Meeting in June for consideration in order to discuss this again.

After discussion, Council member Talbert revised his motion and made a motion to revisit all text amendments in June, seconded by Council member Meredith and approved unanimously by all Council members present.

After the vote there was discussion among Council concerning the action taken at the prior meeting and how the text amendments applied to the development listed above as well as conditions the developer placed upon himself to have only townhomes and condominiums and would not include apartments. Multi-Family dwellings are limited to 25% in the RM District as approved by Council.

There was further discussion between Council members concerning Council's understanding concerning the Text Amendments that were voted on at the April Meeting. Also discussed was how revisiting this item after approval of the request at the April Meeting would affect this developer or may seem to be setting a precedent for one (1) development if changes were made after the approval of this development. Also discussed was what was allowed in R-12 Zoning. Manager Bailie advised Council members that the developer had asked for RM Zoning and asked that a Text Amendment be made to allow three (3) houses per acre. The developer originally requested 3.6 homes per acre, however when this request was reviewed by the Planning Board it was their recommendation to limit development in the RM Zoning to 3 units per acre.

Council members discussed how changes at this time to the Text Amendments may affect the growth as well as growth in areas where sewer may be available in the City. Council members also discussed the sidewalk requirements as well as the developers request to install sidewalks and how they applied to the developer as well as high density development and the state requirements the developer must comply with in regards to Watershed Regulations. The state will dictate how property is developed. Council member Bridges discussed Retention Ponds as discussed in the Text Amendments and her concerns that the City should explore other options to control water run off. Mr. McNeill discussed with Council the reviews that were performed by the state for water run off control. He advised Council that a developers plan would be reviewed by the State for erosion control requirements. The City Planner will review them for compliance with the Uwharrie River minimum standards. The City can adopt Watershed Ordinances that are more stringent than the states. The City Watershed Ordinance is most likely based on the State requirements for the Uwharrie basin. There was further discussion concerning retention ponds and the stringent requirements placed on their use by the state as well as the enforcement problems that would be involved if the City added more restrictive controls than dictated by state standards. Mr. McNeill advised Council that for smaller developments less than one (1) acre something other than ponds was viable; however at some point ponds become the only solution for higher density or larger scale developments.

After further discussion concerning the previously approved motion, Attorney Wilhoit advised Council to make a motion that the Council reconsider the vote taken earlier on Council member Talbert's motion.

Council member Meredith made a motion that Council reconsider the vote that was just taken on the Text Amendments, seconded by Council member Ewings and approved by a 5-2 vote with Council members Bridges and Talbert voting Nay.

Attorney Wilhoit advised Council members that the effect of this motion to reconsider is immediately placed before the assembly again the question on which the vote is to be reconsidered to the exact position it occupied at the

moment before it was voted on originally. The Council is now back in a position to vote on Council member Talbert's motion. The action that you just took eliminated the vote that was originally taken on his motion.

Prior to a vote, Council member Labonte discussed with Council member Talbert the requirements that the developer had placed on himself for this area that were more stringent than what the City would require with the Text Amendments. We can still conditionally impose other requirements. If we allow the Text Amendments revisiting them at a later date should have no effect on this decision.

There was further discussion between Attorney Wilhoit and Council members concerning when City Ordinances could be addressed. Attorney Wilhoit advised Council that they may address any Ordinance that the city has at any time. Mayor Andrews discussed with Council her research from the EPA Office located in Washington, DC concerning run off. Their study proves that more damage occurs when there are two (2) houses per acre in comparison to three (3) houses per acre. Council member Reddick discussed her concerns for traffic that will be generated from the high density development option and the fact that 8 persons spoke against this request versus 2 that spoke for it. Mayor Andrews discussed her thoughts concerning increased traffic and how the increased traffic flow was generated from persons communicating from other cities through the City of Trinity. We need to consider what is best for everybody that lives in the City.

Manager Bailie discussed the correlation between the proposal from Council member Talbert and this Rezoning that is to be considered next week. If the Council wants to look at the amendments again then I believe that Council needs to table this item. If the Council revisits these amendments and changes them substantially after you approve this rezoning request then the provisions that exist currently in the RM Zoning District may be changed to such an extent that it will certainly be perceived by the residents that this developer received special treatment.

At this time, Mayor Andrews called on the City Clerk to restate the earlier motion made by Council member Talbert. The Clerk read the following motion made by Council member Talbert:

Council member Talbert made a motion to revisit all text amendments in June, seconded by Council member Meredith.

At this time Mayor Andrews called for a vote on Council member Talbert's motion as restated by the clerk. ***The vote was 6 to 1 to deny Council member Talbert's motion with Council member Talbert voting in favor of revisiting the Text Amendments.***

At this time Council member Reddick made a motion to add this item to the May 16, 2006 Regular City Council Meeting, seconded by Council member Lambeth and approved unanimously by all Council members present.

- 9. Rezoning request #Z06-04, to rezone property located at Welborn and Finch Farm roads, further identified as Randolph County tax parcel numbers 6797412387 and 6797613814. The request is to rezone the property from RA (Residential Agricultural) to HC (Highway Commercial). The property is owned by A.L. Honbarrier.**

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda. Manager Bailie advised Council that Mr. Honbarrier was considering withdrawing this request and resubmitting this as a different zoning district. We discovered that we did not send out notices to all persons that needed to be notified. The net effect on this is this item will need to be tabled. Perhaps the best course of action is to add this item to the Agenda with the understanding that if Mr. Honbarrier wishes to withdraw the request that I be allowed to take that into consideration. If he does not withdraw the request then Council will need to table this request at the meeting because notices were not mailed to all persons that needed to be notified.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Meredith , seconded by Council member Ewings and approved unanimously by all Council members present.

10. Text Amendments to the Zoning and Watershed Ordinances Concerning the Use of Nonconforming Lots and Lots Of Record. (Page 62)

Mr. Stumb discussed with members some discrepancies concerning lots of record and how they can be used. Mr. Stumb discussed the following:

Pg (62) Section 5-3: this section advises the owner that they need to apply for a variance just to use the lot.

Section 9-2: this section states that if a person wants to use a Lot of Record all they are required to do is come and get their permit assuming they meet the set back, and buffer requirements and that a variance is not required.

Section 5-3: this section discusses single ownership of a number of smaller lots 25 X 200 in size and states that these smaller lots need to be combined to meet the Ordinance.

Section 9-2: this section is slightly different and discusses how lots like this could be broken up into smaller units assuming that the setbacks and the buffer requirements are met. This means that if the setback requirements can be met an owner could combine three (3) of the lots of record to make one (1) unit.

Mr. Stumb advised Council that he was seeking direction on which scenario they would like to apply in the Ordinance.

Council members discussed the different options that could be used to develop lots of record as well as the standard lot size of 20,000 feet when sewer became available. There was discussion between Mr. Stumb and Council regarding the addition of the R-20 Zoning District and how most of the lots of this type are located in the R-40 zoning district.

There was further discussion between Manager Bailie, Council members, and Mr. Stumb concerning how Council would like staff to address the conflicting issues in the City Ordinance pertaining to this subject. Manager Bailie advised Council members that staff needed to know if these lots of records meet the setback requirements does Council consider that enough to allow development? This could be considerably less than 20,000 square feet in some cases. The lot of record would have to have sewer and setback or sewer/septic service and meet the setback requirements of the City Ordinances. This means an individual could own a 12,000 square foot lot even though it is zoned R-40. Is this o.k.? If this scenario is not agreeable and if you have several of these small lots under one name does Council want to require recombination to the zoning district in which it resides? Council member Meredith stated that that is what he would like to see. Manager Bailie advised members that most of these lots were already zoned R-40. Council member Meredith discussed his feelings concerning how allowing R-40 would change the restrictions of the subdivision because the entire subdivision had been developed using R-20. Council member Meredith stated he felt this was something that needed to be corrected.

Council member Bridges discussed what she felt Council's choices were. The City can have these lots recombined so that it looks like the other lots or we allow it to be developed even if it is smaller if it meets the setbacks. Some of the Ordinance also allows variance where the developer does not have to meet setbacks.

Attorney Wilhoit discussed variances and stated this would be the way to address hardships suffered by the applicant and not a result of anything the applicant did.

There was further discussion concerning how the R-40 Zoning was applied to the lots in question. Council member Meredith discussed earlier discussion with the stipulation that development would be allowed on a 20,000 square foot lot as long as the lot perked or it had sewer available.

Manager Bailie stated that the lot would have had to be rezoned. What the City has stated in the past is yes we will allow R-20 but these lots would have to be rezoned.

Council member Meredith stated that previous statements had been made that lots of record would be grandfathered as long as they met the setbacks they would be able to be used. Without this there will be a numerous lots in Trinity that will not be useable if we do not grandfather these lots of record.

Manager Bailie advised Council staff was not asking about it in a grandfathered clause because lots of records are legal entities. Our question is, if you have these lots of record and meet the setbacks is it o.k. to build upon these lots if they simply meet the setbacks without concerns about the underlying zoning district.

After further discussion, Manager Bailie asked Council if they wanted to rely on the setbacks. This is the way we interpreted this section of the Ordinance before we realized the conflict. By using this interpretation we had houses on small lots that met the setbacks in neighborhoods with larger lots. We have received numerous complaints from the residents in those neighborhoods. Now we have found a conflicting Ordinance and what we are asking you is to decide which one you would like to follow. Do you want to base this solely on whether or not the setbacks are met irregardless of the zoning district and requiring recombination of lots?

Mr. McNeill discussed the map passed out to Council members that illustrated several lots of record that are 50 foot wide and less than 100 feet deep. These are lots that would allow a house to be built if they meet the setbacks on a

4,000 square foot lot. On the same text directly beside them is a large tract of land that owns 10 or 12 of these lots. Could this person subdivide his lots like the others and place houses every 4,000 square feet? When these houses were built zoning was not a defined word.

Council member Meredith discussed the 20,000 square feet requirement for lot size prior to 1982 and the change that took place in 1982 which required 40,000 square foot lots for building.

There was discussion among Council members concerning the desire to preserve the integrity of the existing neighborhoods and if the permits could be issued based on keeping with the integrity of the neighborhoods.

After further discussion, It was the consensus of Council to agree with Manager Bailie's summary of the following changes:

**To allow persons to build on the lots if the set backs could be met
The development needed to be compatible with the neighborhood
No variance will be required.**

Council member Bridges discussed section 5-3, paragraph 1. Mr. Stumb advised members that the requirement for a variance would be deleted, that the setbacks and buffering requirements are met, and that they be compatible with existing neighborhood.

After discussion between Council members and Manager Bailie concerning how to determine compatibility of the surrounding neighborhood, Council agreed that this should be an administrative decision.

Manager Bailie asked Council to define compatible (example if all homes in the neighborhood are brick, does the new home have to be brick). After discussion concerning staff's role in the determination of compatibility with the neighborhood, Manager Bailie advised Council that **staff would make the recommendation in writing to Council with appeal from the staff to the City Council. If the developer does not like the determination made by staff then they may appeal to Council.**

Mayor Andrews called for a motion to place this item on the May 16, 2006 Regular City Council Meeting Agenda.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Lambeth , seconded by Council member Bridges and approved by a 6 to 1 vote with Council member Reddick voting Nay.

Unfinished Business

11. Text amendments to Zoning and Subdivision ordinances concerning agricultural uses.

(Tabled from March 21 Council meeting; Public Hearing was held at that time)

Pg 70

Mayor Andrews opened this item and advised Council this item was tabled from the March 21, 2006 Council Meeting.

At this time Council member Meredith made a motion to remove this item from the Agenda and not to be reconsidered again unless requested by the majority of Council. The motion was seconded by Council member Talbert.

Prior to a vote, there was discussion among Council concerning the need for restrictions that would address some of the problems that had brought about this item for consideration and the fact that currently livestock was allowed in all zoning districts. Council member Meredith discussed the fact that he had not received any calls concerning the need to get rid of animals but had received several calls from residents that wanted to keep their animals.

Council member Bridges discussed her desires to place restrictions on this moving forward as well as discussion of the definitions and the possibility of deleting hogs, poultry, game birds, deer, rabbits, and mink.

Manager Bailie discussed with Council the minimum size that Council would like to have for RA Zoning. Going forward the city will not have 40,000 square foot lots that are zoned with RA. We have recommended 5 acres, however Council can choose what they feel comfortable with. Manager Bailie discussed the map included on page 71 that illustrated all parcels currently zoned RA. We have also highlighted in light gray the 166 lots that are zoned RA and are less than 5 acres in size.

Manager Bailie asked for Council consensus on the following:

**To set a minimum lot size for RA Zoning
To allow agriculture uses only in RA**

It was the consensus of Council that these be the requirements going forward.

After the consensus was reached on these items Manager Bailie discussed with Council their decision that would grandfather everyone up to this point. If the new additions are passed, would you want the city to start the process of rezoning properties that are less than 5 acres?

After discussion concerning the 5 acre size requirement *it was the consensus of Council that the city start the process of rezoning properties less than 5 acres if passed at the Regular Meeting.*

At this time Council member Meredith withdrew his motion with the understanding that another motion can be made. Council member Talbert withdrew his second to the earlier motion.

With no further discussion, Council member Lambeth made a motion to add this item to the May 16, 2006 Regular City Council Meeting, seconded by Council member Bridges and approved unanimously by all Council members present.

New Business

12. Presentation of Proposed Budget for Fiscal Year 2006 – 2007 (Ann Bailie, City Manager)

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Manager Bailie advised Council that she was working on the Budget and would like to talk to the Budget Committee directly after this meeting to set up another meeting.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting Agenda by Council member Bridges, seconded by Council member Ewings and approved unanimously by all Council members present.

13. Resolution in Support of the 2006 Clean Water Bond Pg 74

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Manager Bailie advised Council that the Rural Center is making an effort to get the General assembly to put this to the voters for bond referendum. They are seeking the support of municipalities and counties in the state.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting Agenda by Council member Reddick, seconded by Council member Lambeth, and approved unanimously by all Council members present.

14. Re-adoption of Fair Housing Resolution, a condition of the Darr Rd. Community Development Block Grant Pg 79

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Ewings and approved unanimously by all Council members present.

15. Resolution authorizing signatories for Community Development Block Grant requisitions Pg 81

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Manager Bailie advised Council this was a housekeeping item and needed to be done.

After discussion, *Council member Lambeth made a motion to approve the Resolution authorizing signatories for Community Development Block Grant Requisitions, seconded by Council member Meredith, and approved unanimously by all Council members present.*

**** This item will not be a part of the May 16, 2006 Agenda due to Council action taken at this meeting.****

16. Authorization for City Hall improvements Pg 81

Mayor Andrews called for discussion and or motion to add this item to the May 16, 2006 Regular Council Agenda.

Manager Bailie discussed her conversation with Council last month concerning this item. She shared with Council a quote obtained to enclose the back porch that would allow us to use this area for storage of our files. The total for this quote is \$3,010.70. I also asked for quotes to place doors at the Council Chambers and to add 2 doors in the kitchen area to create additional office space. The price for this was \$4,467.54.

I am asking that Council consider City Hall Improvements not to exceed \$10,000.00

Motion to add the above item to the May 16, 2006 Regular City Council Meeting by Council member Bridges , seconded by Council member Labonte and approved unanimously by all Council members present.

IV. Additional Pre-Agenda Meeting Business

V. Rules of Procedure

A. Consider amending Public Hearing procedures to allow rebuttal. Pg 82

Manager Bailie and Council discussed the current procedure that did not allow rebuttal and how allowing rebuttal could help eliminate some of the comments from the audience. If rebuttal is a part of the structure we could limit comment time for rebuttal.

There was extensive discussion concerning the addition of rebuttal and time limits that would be fair. Manager Bailie suggested to Council that the Public Hearing both pros and cons be limited to 20 to 30 minutes. This would be 3 minutes per person with a total time limit of 20 to 30 minutes. Then offer rebuttal of 5 minutes for each side.

After further discussion, it was the consensus from Council that the following format and time lines be used:

Mr. Stumb will discuss the item with Council

Presentation will be made

3 minute time limit per person

Rebuttal time for a total of 5 minutes

After the consensus was reached, *Council member Bridges made a motion to amend the Public Hearing procedures with a 3 minute time limit as currently used and also the addition of a 5 minute total time rebuttal for each side, seconded by Council member Meredith and approved 5 to 1 with Council member Talbert voting Nay.*

**** This item will not be a part of the May 16, 2006 Agenda due to Council action taken at this meeting.****

A. Consider using a "Consent Agenda" (see attachment or page 11 of Rules of Procedure booklet) Pg 83

After Mayor Andrews opened this item Manager Bailie discussed how this would allow non controversial items to be bundled into one (1) vote. After a brief explanation how this worked by Manager Bailie and conversation between Council members and Manager Bailie, *Council member Bridges made a motion that the City start using the Consent Agenda at the June Meeting, seconded by Council member Lambeth, and approved unanimously by all Council members present.*

**** This item will not be a part of the May 16, 2006 Agenda due to Council action taken at this meeting.****

VI. Declaration of surplus items (Debbie Hinson)

After Mayor Andrews opened this item, Ms. Hinson advised Council that the list included in the packet were the items that she was declaring as surplus items for the City of Trinity.

VII. Thoroughfare Overlay (discussion)

Manager Bailie advised Council due to the work on the budget she had not had time to incorporate the changes into the document and would like to exclude discussion on this item at this meeting.

VIII. Business from Mayor and Council

- **Expanded job responsibilities for Utilities committee**
- **PART Update**

Mayor

Utilities

Mayor Andrews advised Council that after discussion with members of this committee concerning their willingness to take on additional responsibilities, Manager Bailie and I felt that Transportation items such as street repaving and stormwater runoff would be good items to add to their responsibilities. We also are recommending that this group change their name to the Infrastructure Committee.

It was the consensus of Council to proceed with changes as presented.

PART

Mayor Andrews discussed the PART site visited by her and Manager Bailie in the City of Thomasville. We have been approached about providing this service in Trinity. County Commissioners must give permission to PART to tax rental cars 5% in order for this to pass. I have talked with Darrell Frye concerning this matter and he advised us he did not see a problem to get consent from the County for this. For the sum of \$2.00 you can ride the bus to both the Chapel Hill Hospital as well as the Duke Hospital, to Mount Airy, Pilot Mountain, Greensboro, and Winston Salem.

Manager Bailie advised members if the County Commissioners grant the 5% taxing authority to PART and they did put one in Trinity there would be no cost to the City. If the County Commissioners do not grant the authority to PART then the federal authority will pay 90%, the city will pay 10%, and we will not get the buses. It would be a parking lot for car pooling.

IX. Business from City Manager

▪ Code of Ordinances

Manager Bailie discussed the item presented to Council concerning this item. The first part of this document is from their legal department, the second part is the Code of Ordinances. They sent back more than the Ordinances that the City has adopted. Manager Bailie referred to the Table of Contents (page 1) General Regulation. The Animal Control as is General Public Nuisances, and Abandon and Junk Motor Vehicles. Manager Bailie advised members that she did not include in their packets fire prevention, parades, fair housing, and streets and sidewalks because we do not have these Ordinances. She advised Council that she wanted them to be aware of these Ordinances in case there are some of these that you would like to talk about. The Land Use Ordinances that we have are adopted by reference. There is a Flood Prevention Ordinance that is not included because we have our own and I have asked Mr. Stumb to review and compare the two. The process will be for you to review this information over the next month. We will talk about this and go through it and hopefully you will consider adoption at the June Council Meeting.

After discussion, it was the consensus of Council to have another meeting to discuss this . After discussion it was the consensus of Council to hold a Special Called Meeting on Tuesday , May 30, 2006 at 4:00 at City Hall.

Disaster Response

Manager Bailie advised Council that Mr. Coleman from the Tri-County Amateur Radio Club wants to use the grounds this year as he did last year for disaster response. *After discussion, it was Council's decision that Manager Bailie add this to the Regular Meeting Agenda as an item to be considered for approval.*

Town Hall Day

Please advise staff if you want to go

Direct Deposit Information

Please provide the payroll information to Debbie for Direct Deposit

City Haul

In addition to Friends of Trinity the Band Boosters have assisted in this event.

Land Development Plan Meeting

This Thursday is Land Dev Plan Meeting and will be a joint meeting with the City Council, Planning/Zoning Board, and the Land Development Plan Committee. At this time we will present to you the work that has been done by this committee. They are seeking your input. We plan to have a Community Meeting in June and plan to invite the entire community. Everything is in the draft stage at this time. The meeting will be held at 7:00, on May 11, 2006 at the Trinity Baptist Church.

▪ Trinity at the Crossroads

Manager Bailie discussed the beginning of this conversation in March in regards to growth and development. A lot has taken place since that time. We have had rezoning requests and subsequent issues and questions have arose.

She discussed the answers to her question “Is the city at a crossroads in regard to growth and development” at the meeting in March when this started. After review of the answers with Council Manager Bailie advised Council that voting to incorporate was a crossroads. The second major crossroads is when voters passed the Bond Referendum. This vote acknowledged that we will grow and also defined the probable growth areas in the city if we assume growth follow the sewer lines. That is exactly what we are experiencing. The rezoning requests that are coming before the Council are a result of sewer installation.

She asked Council if they agreed with this summary. She also discussed the Vision of Trinity as expressed by some residents to preserve the rural character of the city and her feeling that the Council was to the crossroads and maybe past the crossroads of growth but the residents were not there yet.

Council member Talbert discussed the important part that the sewer played in growth.

Council member Meredith discussed his feelings concerning obvious growth and the need to try to maintain some of the rural character of the City. We will not be able to satisfy everybody, but I believe it is obvious that we have to pay for the sewer.

Council member Labonte and Lambeth discussed citizen’s request for a grocery store and how selection for this type of business is driven by population. Council member Labonte discussed some of the questions asked by the Land Use Committee and the need to be careful to address all the issues in question. Manager Bailie advised Council that the Land Development Plan will be general and show growth where the sewer infrastructure is put into place.

Council and Manager Bailie discussed how the city could identify sites for commercial growth and the need to look beyond residential homes. Manager Bailie advised Council that she would ask Bonnie Renfro to attend the Thursday meeting. Manager Bailie advised Council that the hard part and challenge for Council will be to not allow rezoning to anything except commercial or industrial growth, once those areas are identified. The Land Use Plan will lay out all of these areas but the challenge is to leave the zoning as it is identified.

Annual Operating Budget

Manager Bailie discussed her work on the Annual Operating Budget as well as the Sewer Budget. The City has been using General Fund dollars to pay annual operating funds. We can not continue to do this and transfer 75% of the sales tax revenue to pay for sewer. Manager Bailie reviewed a handout given to Council that illustrated the increased costs of other sewer projects since they were originally budgeted. The original projection that included 75% of the sales tax revenue is no longer sufficient as this handout illustrates. Also discussed was the breakout for the different phases and changes that could be made. Also Manager Bailie and Council discussed the revenues budgeted for sales tax and property tax. Manager Bailie advised Council that the sales tax was budgeted at \$1,131,000.00 and property tax including vehicles is 198,450.00. We will be sending \$848,250 to the sewer fund. Under this scenario and not taking any monies from the General Fund except what is required to finish the Colonial Heights Sewer Project there is a difference of \$256,050.00 between revenues and expenditure.

Manager Bailie advised Council that the City would probably look at establishing short term construction loans for Phase 3 and possibly for Phase 2. Mr. McNeill advised Council that no bond monies would be received until project completion.

Manager Bailie advised members that she did not have options to present to Council at this time but will be working on them.

Budget Committee

Manager Bailie asked if the Budget Committee would like to meet on Thursday prior to the Land Development Plan Meeting at 5:20. It was the consensus of Budget Committee to meet at 5:20 on Thursday.

Business from Attorney Wilhoit

Attorney Wilhoit discussed the property that had been cleaned up and that Ms. Gallimore agreed to reimburse a civil penalty of \$1671.25. This will cover the city expense paid on this complaint.

Mr. Leroy Lerch and wife Mary have cleaned up their property and brought it into compliance. They have agreed and the court has ordered them to pay \$2822.50 in penalty and goes against them.

X. Adjournment

With no other business to discuss, Mayor Andrews called for a motion to adjourn the May 9, 2006 Pre- Agenda Meeting.

Motion to adjourn the May 09, 2006 Pre-Agenda meeting by Council member Reddick, seconded by Council member Meredith and approved unanimously by all Council members present

These minutes were approved by the Trinity City Council at their Regularly Scheduled Meeting on June 20, 2006 upon motion by Council member Brown, seconded by Council member Ewings, and approved unanimously by all Council members present.

Fran Andrews, Mayor

Debbie Hinson, City Clerk

Date

Date